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NOTICE OF ALLOWANCE AND FEE(S) DUE

29683

7590

11/17/2009

HARRINGTON & SMITH, PC
4 RESEARCH DRIVE, Suite 202
SHELTON, CT 06484-6212

EXAMINER

NGUYEN, THU HA T

ART UNIT

PAPER NUMBER

2453

DATE MAILED: 11/17/2009

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/823,378 | 04/12/2004 | Adam Cain | 863.0019.U1(US) | 3369 |

TITLE OF INVENTION: SYSTEM AND METHOD FOR ENABLING AUTHORIZATION OF A NETWORK DEVICE USING ATTRIBUTE CERTIFICATES

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO | \$1510 | \$300 | \$0 | \$1810 | 02/17/2010 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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29863 7590 11/17/2009
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SHELTON, CT 06484-6212

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE; address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

| |
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| (Depositor's name) |
| (Signature) |
| (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/823,378 04/12/2004 Adam Cain 863.0019.U1(US) 3369

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| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|------------------|----------|----------------|
| NGUYEN, THU HA T | 2453 | 709-225000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
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☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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| HARRINGTON & SMITH, PC 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212 | | | NGUYEN, THU HA T | |
| | | | ART UNIT | PAPER NUMBER |

2453

DATE MAILED: 11/17/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 509 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 509 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/823,378

Examiner

THU HA T. NGUYEN

Applicant(s)

CAIN ET AL.

Art Unit

2453

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/09/09.
2. ☒ The allowed claim(s) is/are 1, 3-10, 13-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/THUHA T. NGUYEN/
Primary Examiner, Art Unit 2453

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Applicant's representative, Mr. John Garrity (Reg. No. 60,470), on October 27, 2009.

3. The application has been amended as follow:

4. In the claim:

1. (Currently Amended) A method, comprising:

performing an automated security scan of a second network device by a first network device to determine at least one of a hardware or software capability of the second network device;

determining an attribute for the second network device based, in part, on the determined capability;

generating an attribute certificate for the second network device based in part on the attribute;

storing the attribute certificate including the attribute on a device other than the second network device;

receiving, at the first network device, an authentication request from the second network device for access to a resource over a network;

verifying the authentication request from the second network device, or
else terminating communication with the second network device;

responsive to verifying the authentication request from the second network
device, the first network device requesting and receiving from the other device
the stored attribute certificate for the second network device; and

the first network device determining whether the received attribute
certificate for the second network device is valid, where if the attribute certificate
is determined valid, authorizing access to the resource over the network based,
in part, on the attribute associated with the attribute certificate, or else
terminating communication with the second network device, wherein the validity
of the received attribute certificate is based on factors comprising: a date range
of the attribute certificate, a digital signature on the attribute certificate, and a
comparison of an identity listed in the attribute certificate with the verified
authentication request.

2. (Canceled).

3. (Original) The method of claim 1, wherein the attribute is further
determined based, in part, on a condition to be satisfied.

4. (Previously presented) The method of claim 1, where the validity of the
received attribute certificate is based on factors comprising at least one of a date
range of the attribute certificate, a digital signature on the attribute certificate, and

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a comparison of an identity listed in the attribute certificate with the verified authentication request.

5. (Previously presented) The method of claim 1, wherein the attribute is further associated with at least one of a group of users and a group of network devices.

6. (Previously Presented) The method of claim 1, wherein the attribute certificate is generated by at least one of the first network device, an access server, and an attribute authority.

7. (Previously presented) The method of claim 1, wherein the attribute certificate is stored in at least one of the first network device, and an attribute repository.

8. (Original) The method of claim 7, wherein the attribute certificate is provided to an access server through the use of at least one of a cookie, a program, and a manual upload.

9. (Currently Amended) An apparatus, comprising:
an interface configured to perform an automated security scan of a network device to determine at least one of a hardware or software capability of the network device;

a processor configured to determine an attribute for the network device based, in part on the determined capability;

the processor further configured to generate an attribute certificate for the network device based, in part, on the attribute;

the interface configured to store the attribute certificate including the attribute on a device other than the network device;

the processor configured to receive an authentication request from the network device for access to a resource over a network;

the processor configured to verify the authentication request from the network device, or else to terminate communication with the network device;

responsive to verifying the authentication request from the network device, the processor and the interface are configured to request and receive from the other device the stored attribute certificate for the network device; and

the processor is configured to determine whether the received attribute certificate for the network device is valid, where if the attribute certificate is determined valid, the processor is configured to authorize access to the resource over the network based, in part, on the attribute associated with the attribute certificate, or else terminate communication with the network device, wherein the validity of the received attribute certificate is based on factors comprising: a date range of the attribute certificate, a digital signature on the attribute certificate, and a comparison of an identity listed in the attribute certificate with the verified authentication request.

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10. (Previously Presented) The apparatus of claim 9, wherein the processor is further configured to generate the attribute certificate based on a condition to be satisfied.

11. (Canceled).

12. (Canceled).

13. (Previously Presented) The apparatus of claim 9, wherein the interface is further configured to send the attribute certificate to an attribute repository to be stored.

14. (Currently Amended) A device for managing authorization to a resource over a network, comprising:

means for performing an automated security scan of a network device to determine at least one of a hardware or software capability of the network device;

means for determining an attribute for the network device based, in part, on the determined capability of the network device;

means for generating an attribute certificate for the network device, wherein the attribute certificate is based in part on the attribute;

means for storing the attribute certificate on a device other than the network device;

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means for receiving an authentication request from the network device for access to a resource over the network;

means for verifying the authentication request from the network device, or else terminating communication with the network device;

means, responsive to verifying the authentication request from the network for requesting and receiving from the other device the stored attribute certificate for the network device;

means for determining whether the received attribute certificate for the network device is valid, where if the attribute certificate is determined valid, and

means for authorizing access to the resource over the network based, in part, on the attribute associated with the attribute certificate, or else for terminating communication with the network device, wherein the validity of the received attribute certificate is based on factors comprising: a date range of the attribute certificate, a digital signature on the attribute certificate, and a comparison of an identity listed in the attribute certificate with the verified authentication request.

15. (Previously Presented) The device of claim 14, where the means to perform an automated scan comprises an interface; and the means for determining, generating, storing, and means responsive comprises a central processing unit coupled to the interface and further coupled to a memory.

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16. (Currently Amended) A computer readable medium encoded with a computer program executable by a processor to perform actions comprising:

- performing an automated security scan of a network device to determine at least one of a hardware or software capability of the network device;
- determining an attribute for the network device based, in part, on the determined capability;
- generating an attribute certificate for the network device based in part on the attribute;
- storing the attribute certificate including the attribute on a device other than the network device;
- receiving an authentication request from the network device for access to a resource over a network;
- verifying the authentication request from the network device, or else terminating communication with the network device;
- responsive to a verified authentication request from the network device, requesting and receiving from the other device the stored attribute certificate for the network device; and
- determining whether the received attribute certificate for the network device is valid, where if the attribute certificate is determined valid, authorizing access to a resource over a network based, in part, on the attribute associated with the attribute certificate, or else terminating communication with the network device, wherein the validity of the received attribute certificate is based on factors comprising: a date range of the attribute certificate, a digital signature on the

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attribute certificate, and a comparison of an identity listed in the attribute certificate with the verified authentication request.

Reasons for Allowance

5. Claims 1, 3-10 and 13-16 are allowed.

6. This communication warrants no examiner's reason for allowance, as applicant's reply makes evident the reason for allowance, satisfying the record as whole as required by rule 37 CFR 1.104 (e). In this case, the substance of applicant's remark filed on June 09, 2009 with respect to arguments that point out and make clear the reason claims are patentable over the prior art of record. Thus, the reason for allowance is in all probability evident from the record and no statement for examiner's reason for allowance is necessary (see MPEP 13202.14).

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (571) 272-6776.

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The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/THUHA T. NGUYEN/

Primary Examiner, Art Unit 2453